

FILED BY *dc* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JUN 24 AM 11:51

ROBERT B. DI TROLO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

KAY SWEENEY,

Plaintiff,

vs.

RIVER WAFFLES, LLC, et al.,

Defendant.

Civ. No. 04-2561-P

ORDER ON PENDING MOTIONS AND MODIFYING SCHEDULING ORDER

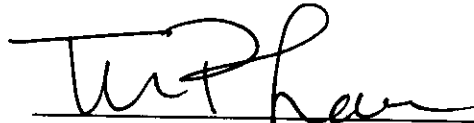
Before the court is plaintiff's Motion to Compel River Waffles to Supplement Its Initial Disclosures (dkt #36), plaintiff's Motion to Compel Regarding Plaintiff's Request for Production of Documents (dkt #35), and plaintiff's Motion for Continuance of Trial Date and Discovery Extension (dkt #34), all filed on May 16, 2005. On June 23, 2005, the court held a hearing on these motions. Counsel for all parties were present and heard. At the hearing, the plaintiff stated that she has, since the filing of her motion to compel, received additional initial disclosures, and therefore asked that her motion be withdrawn. On that basis, plaintiff's Motion to Compel River Waffles to Supplement Its Initial Disclosures is DENIED as moot.

With respect to the motion compel production of documents, the parties asked that the motion be held in abeyance until after

expert disclosures. Thus, the motion is DENIED without prejudice. The plaintiff may renew this motion at a later date, if necessary.

Finally, the court GRANTS the motion to continue the trial and extend discovery. The parties are instructed to appear for a telephonic status conference on August 11, 2005, at 2:00 p.m. to discuss setting a new trial date and scheduling order. The current deadlines set in the scheduling order shall be held in abeyance until a new scheduling order is entered, with the following exceptions: plaintiff's expert disclosures shall be due by July 22, 2005, and defendants River Waffles and Marketplace Investments, LLC's expert disclosures shall be due by September 22, 2005.

IT IS SO ORDERED.



TU M. PHAM
United States Magistrate Judge
June 24, 2005

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 46 in case 2:04-CV-02561 was distributed by fax, mail, or direct printing on June 27, 2005 to the parties listed.

Joe E. Manuel
147 N. Market St.
Ste C
Chattanooga, TN 37405

J. Page Garrett
J. PAGE GARRETT
5133 Harding Rd.
Ste. 112
Nashville, TN 37205

Honorable Tu Pham
US DISTRICT COURT